

REMARKS

Claim 1 is pending in this application, of which has been amended. No new claims have been added.

Claim 1 stands rejected under 35 USC §112, first and second paragraph, for failing to comply with the written description requirement and as indefinite.

The Examiner has specifically complained that the limitation “in the fully tightened position the gasket has an inside diameter less than the diameter of the opening passageway” is not supported in the specification.

Page 8, lines 10-12 of the specification disclose that “the gasket 73 has an inside diameter smaller than the diameter of the opening passageway 75a (76a).” This feature is also shown in Fig. 1(b). It is therefore assumed by Applicants that only the words “in the fully tightened position” are considered new matter because they are not expressly stated in the specification.

Applicants respectfully submit that the language “state as tightened up” in Table 1 in the specification does support the language “in a tightened-up state”, where it should be obvious that such a state is tighter than mere “finger tight”, as in McGarvey’s FIG. 2. Accordingly, claim 1 has been amended to recite this language, which should overcome the 35 U.S.C. §112, first and second paragraph rejections.

Claim 1 stands rejected under 35 USC §103(a) or unpatentable over U.S. Patent 5967,489 to Nakazawa et al. (hereinafter “Nakazawa et al.”).

Applicants respectfully traverse this rejection.

As noted in Applicants' responses of November 17, 2003, June 2, 2004 and December 9, 2004, Fig. 2 of Nakazawa et al. shows "a seal portion 18 of common construction (not shown in detail) interposed" between first and second fluid coupling members, as disclosed in column 4, lines 22-24. The "seal portion" appears to include an O-ring gasket, but Fig. 2 of Nakazawa et al. fails to show any part of the "seal portion" which corresponds to "gasket holding annular ridges on butting end faces thereof", as recited in claim 1 and as represented by members 71a, 72a in Fig. 1(b) of the instant application.

Furthermore, it should be noted that in the prosecution of the corresponding European application 99122292.8, claim 1 was allowed over the prior art of record with the inclusion of the following language into claim 1 via amendment:

... that the gasket holding ridges are in contact with the gasket at its radial midportion and accordingly the inner peripheral portion of the gasket is free of stress concentration and therefore develops no wrinkles.

This limitation is supported on page 10, lines 17-22 of the specification of the instant application.

The "seal portion" in Nakazawa et al. fails to be rounded so as to be in contact with the gasket only at its radial midportion, as are the ridges 71a, 72a in Fig. 1(b) of the instant application, and as recited in claim 1 of the instant application.

The Examiner has admitted that Nakazawa et al. fails to disclose the gasket holding annular ridges being rounded so as to be in contact with the gasket only at its radial midpoint, but has cited McGarvey for teaching this feature.

Applicants respectfully disagree. McGarvey discloses a face sealing fitting which includes two connectable tubular elements each having an annular end formation and a metal gasket including an outer annular section with a first axial dimension, an inner annular section concentric with the outer annular section and having a smaller axial dimension, and a tapered section having bevel faces between the inner and outer annular sections. Portions of the annular end formations which project axially the farthest beyond the tubular elements have a diameter substantially equal to the inner diameter of the inner annular gasket section and lie along the inner surface of the tubular elements to minimize dead volumes along the flowpath through the fitting.

Fig. 4 shows rounded sections 36, 38 abutting conical faces 32, 34 of gasket 12, but fails to show gasket holding annular ridges which are rounded so as to be in contact with the gasket only at its radial midportion, as recited in claim 1 of the instant application.

Fig. 1 of McGarvey shows the inner diameter of the gasket to be equal to the diameter of the opening passageway, and Fig. 3 of McGarvey shows the inner diameter of the gasket to be greater than the diameter of the opening passageway. This is in contrast to the present invention, in which the gasket (73) has an inside diameter less than the diameter of the opening passageway,

as shown in Fig. 1(b), as disclosed on page 8, lines 10-12 of the specification, and as recited in claim 1, as originally filed, of the present invention.

In the present invention, as shown in Table 1 in the instant specification, when the coupling has a slanting main passageway, all of the "Flow rate," "States as tightened up" and "Replaceability" are to be made "Good." In contrast, in McGarvey, there is no description as to the configuration when the coupling has a slanting main passageway. Therefore, the combination of Nakagawa et al. and McGarvey does not teach the present invention. In fact, in McGarvey, the inner diameter of the gasket differs greatly "in a finger-tight position" and "in a tightened up state." Consequently, as shown in Table 1 as attached hereto, McGarvey can not obtain the advantageous effect of the present invention, which is "to relieve the inner peripheral portion of the gasket from stress concentration and wrinkles."

Attached also is FIG. 4 of McGarvey with explanatory notes.

Thus, the 35 USC §103(a) rejection should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, claim 1 , as amended, is in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures: Table 1
FIG. 4